

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-v.-

20 Cr. 301 (PKC)

ORDER

ANDRES BELLO and JASON TAVAREZ,

Defendants.

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THE HONORABLE P. KEVIN CASTEL, United States District Judge:

WHEREAS, the Court and the parties seek to ensure that ANDRES BELLO and JASON TAVAREZ have meaningful access to review discovery and other case materials while detained at the Metropolitan Detention Center, Brooklyn (“MDC”); and

WHEREAS, the Court seeks to ensure that such discovery access does not jeopardize the security and operational interests of the MDC Brooklyn; and

WHEREAS, defense counsel has represented that the government and the Bureau of Prisons have consented to its requested relief;

IT IS HEREBY ORDERED that

1. Mr. Bello and Mr. Tavarez may each have access to an “air-gapped” laptop computer (the “Laptops”) that is disabled from accessing the internet, local area networks, or other electronic devices;
2. Upon receipt of an acceptable laptop computer from counsel for Mr. Bello and Mr. Tavarez, the Government shall (a) ensure that the laptops are appropriately “air gapped” and compatible with the MDC Brooklyn’s security requirements; (b) load the laptops with the non-sensitive discovery in this case; and (c) deliver the laptops to the proper authorities at the MDC Brooklyn at a

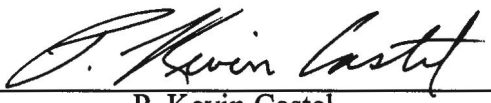
- reasonable time deemed appropriate;
3. The Laptops shall be password-protected and maintained in a location acceptable to Bureau of Prisons personnel;
 4. Bureau of Prisons personnel will provide Mr. Bello and Mr. Tavaréz with access to the Laptops Monday through Friday in the visiting room, for 15 hours per week;
 5. This Order remains in effect until the trial in this matter is completed and a copy of this Order shall be made available to any unit where Mr. Bello and Mr. Tavaréz are housed;
 6. Mr. Bello and Mr. Tavaréz shall execute an agreement setting forth their understanding that they may use the Laptops for the sole purpose of reviewing discovery and legal materials that relate to their criminal cases, that they shall not share the Laptops or the materials loaded onto the Laptops with other inmates or with any attorney not appointed to this case without an order of this Court, that they will not access or attempt to access the internet or any form of wireless communication, and that they will forfeit their rights under this Order to use the Laptops, and that they may expose themselves to criminal prosecution for possessing or distributing a “prohibited object” as that term is defined in 18 U.S.C. § 1791(d) in the future, should they violate any of these understandings.
 7. Within forty-eight hours of MDC Brooklyn’s receipt of the Laptops from the Government, Mr. Bello and Mr. Tavaréz shall receive access to the Laptops

subject to the following conditions:

- a. Mr. Bello and Mr. Tavaréz will be brought to the visiting room upon their request to the unit officer Monday through Friday (with an effort to provide Mr. Bello and Mr. Tavaréz access on a daily basis);
- b. Mr. Bello and Mr. Tavaréz shall not have possession of any charging apparatus or cord that connects to the laptops.

Dated: New York, New York
January 20, 2022

SO ORDERED:



P. Kevin Castel
United States District Judge